

**ASSEMBLY BILL**

**No. 2817**

**Introduced by Assembly Member Maze**

February 24, 2006

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An act to amend Section 16000 of the Welfare and Institutions Code, relating to social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2817, as introduced, Maze. Child welfare services.

Existing law, relating to child welfare services, declares the intent of the Legislature to preserve and strengthen a child's family ties whenever possible, removing the child from the custody of his or her parents only when necessary for his or her welfare or for the safety and protection of the public, and to ensure that a pupil in foster care or who is homeless, as defined by specified federal law, has the opportunity to meet the academic achievement standards to which all pupils are held, is placed in the least restrictive educational programs, and has access to the academic resources, services, and extracurricular and enrichment activities as all other pupils.

This bill would make a technical, nonsubstantive revision to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 16000 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 16000. (a) It is the intent of the Legislature to preserve and
- 4 strengthen a child's family ties whenever possible, removing the

1 child from the custody of his or her parents only when necessary  
2 for his or her welfare or for the safety and protection of the  
3 public. If a child is removed from the physical custody of his or  
4 her parents, preferential consideration shall be given whenever  
5 possible to the placement of the child with the relative as  
6 required by Section 7950 of the Family Code. If the child is  
7 removed from his or her own family, it is the purpose of this  
8 chapter to secure as nearly as possible for the child the custody,  
9 care, and discipline equivalent to that which should have been  
10 given to the child by his or her parents. It is further the intent of  
11 the Legislature to reaffirm its commitment to children who are in  
12 out-of-home placement to live in the least restrictive, most  
13 familylike setting and to live as close to the child's family as  
14 possible pursuant to subdivision (c) of Section 16501.1. Family  
15 reunification services shall be provided for expeditious  
16 reunification of the child with his or her family, as required by  
17 law. If reunification is not possible or likely, a permanent  
18 alternative shall be developed.

19 (b) It is further the intent of the Legislature to ensure that all  
20 pupils in foster care and those who are homeless as defined by  
21 the federal McKinney-Vento Homeless Assistance Act (42  
22 U.S.C. Sec. 11301 et seq.) have the opportunity to meet the  
23 challenging state pupil academic achievement standards to which  
24 all pupils are held. In fulfilling their responsibilities to pupils in  
25 foster care, educators, county placing agencies, care providers,  
26 advocates, and the juvenile courts shall work together to maintain  
27 stable school placements and to ensure that each pupil is placed  
28 in the least restrictive educational programs; and has access to the  
29 academic resources, services, and extracurricular and enrichment  
30 activities that are available to all pupils. In all instances,  
31 educational and school placement decisions must be based on the  
32 best interests of the child.